

Legal SCENE

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Acquaintance rape is too common

Editor's note: This feature contains graphic descriptions of sexual assault that may be upsetting to some readers; caution is advised.

On June 7, 2017, a jury convicted Angel Torres Jr. of Criminal Sexual Conduct in the First Degree. Torres asked a woman he was friends with to leave the classroom at Shakopee High School and go get a drink of water in the hall. After getting a drink, Torres grabbed her by the wrist and pulled her into the handicap stall inside the boys' locker room. Then he forcibly raped her. At one point, Torres was holding her cell phone over the toilet and telling her to cooperate or he would drop it. The victim told Torres "no" several times during this assault. During his trial, a second girl testified that Torres had also taken her cell phone from her, and used it to make her follow him to an isolated area of the school. Torres tried to kiss her several times. He took her hand and put it on top of his pants over his privates. All these advances were rejected. He was told "no." But once they were far enough away from other people, he took her hand and shoved it down the front of his pants. Both these women knew Torres previously. In fact, one of them even had a brief relationship with Torres. This is not uncommon – this is what is commonly called "acquaintance rape."

Acquaintance rape is when an individual is forced to have sexual contact with someone he/she knows. Commonly this involves boyfriends, ex-boyfriends, co-workers, friends, ex-spouses, and recent acquaintances, to name only a few. Acquaintance rape is the most common form of sexual assault in America, with 87.1 percent of female rape victims reporting that they knew the person who raped them.¹

Acquaintance rape victims may hear comments such as "you asked for it," and "you should have known better." And victims often blame themselves, telling themselves they drank too much, put out the wrong signals, et cetera. **But rape is never the victim's fault.** With acquaintance rape, the perpetrator uses the familiarity with the victim to his – and most perpetrators are male -- advantage in order to make the victim comfortable, trusting, and even less likely to fight vigorously or cry out for help either during or after the assault. And the victim is often less likely to report the sexual assault to law enforcement.

During the Torres trial, the defense attorney made a big deal about the fact that neither girl cried out during the assault, or yelled for help, despite being in a school. The second victim didn't even report the assault until over a year later when she heard about the more recent sexual assault. The defense's theory was that it didn't happen and the victims cannot be believed because "real victims" would have behaved differently. They would have fought harder; they would have screamed, or screamed louder; they would have reported the assault immediately. These are all too often effective arguments with a jury if they share the misperception that rape victims should react exactly as the defense attorney was portraying. But this is completely wrong.

Individuals react differently during and after a sexual assault, depending upon their personality, the relationship with the perpetrator, the location of the assault, and feelings of shame, to name just a few factors. Some victims may cry, and may be hysterical, while other victims may appear calm and very controlled. But even if a victim appears calm and controlled, they are not. Experts refer to this as *rape trauma syndrome*, which is how the body and mind cope with a trauma as powerful and damaging as being raped.² Simply stated, there is no "standard reaction" to being raped.

So don't believe the common perception that the reaction to being raped is to fight back and run to the police. Everyone reacts differently, and this is especially true when someone is raped by someone they know – fight-or-flight is often replaced by shock and freezing up. And don't believe the common perception that rapes are only committed by strangers in back alleys. While stranger rapes do happen, they are comparatively rare.

1.) Matthew J. Breidling, Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization-National Intimate Partner and Sexual Violence Survey, United States, 2011, (Atlanta, GA: Center for Disease Control and Prevention, 2014) Table 3.

2.)Samantha Gluck, Date Rape Victims and the Effect of Date Rape, 2016, Healthy Place For Your Mental Health. Healthyplace.com

4-H Cloverbud program geared for K-3rd graders

The University of Minnesota Extension in Scott County offers 4-H programs that are open to all kids in grades kindergarten through one year past high school. But within the 4-H program, there is a special program just for kindergarteners through third graders: Cloverbuds. The Cloverbud program is geared for kids to learn, grow, and have fun! The 4-H Cloverbud Program features fun, age-appropriate activities that focus on cooperation, not competition. 4-H welcomes boys and girls from all backgrounds into Cloverbuds.

The 4-H Program will be offering several activities throughout the fall for youth in grades K-3rd grade.

- **K-3rd Grade Clover Morning; Saturday, Oct. 14 – Scott County Extension Office, Scott County Fairgrounds, Jordan.** At Clover Exploration Mornings, we play games, make treats, sing songs, make crafts, and much more. Space is limited, so reserve your spot early. Cost is \$5 for 4-H members; \$10 for non-members.

To find out more about signing up for a 4-H club in your area or about signing up for a listed 4-H event, call the Scott County Extension Office at (952) 492-5410 or email Sara.Wagner@dunc0088@umn.edu or Ian.Marquez@marqu350@umn.edu.

Law Library News

Free family law, divorce, ID theft clinics offered

Here are some of the **free clinics** offered through the Scott County Law Library that are coming up:

* Every Monday, a volunteer lawyer from Southern Minnesota Regional Legal Services (SMRLS) is in the Government Center (room 102) and is available from 9 to 11 a.m. to provide consultation regarding any crime victim rights. He can assist with Orders for Protection Forms (OPFs), Harassment Restraining Orders (HROs), Restitution (making good or giving an equivalent for some injury), or Reparation (giving satisfaction for a wrong or injury, it can include pain and suffering). The attorney can discuss any questions that you have about being a victim. **No appointments are necessary.**

* The second Monday of the month, the Law Library offers a free Family Law Clinic. This is a brief advice clinic that offers a 30-minute consultation with a Family Law Attorney regarding issues such as divorce, child custody, and child support. **Appointments are required.** For more information and/or to make an appointment, please call the Law Library at (952) 496-8713.

* On Aug. 16, Southern Minnesota Regional Legal Services (SMRLS) will offer a free Divorce Clinic. At this clinic, participants will complete all the paperwork to start a divorce. The clinic is designed to assist low-income people who cannot afford an attorney. **Registration is required.** To find out if you qualify and/or register for the clinic please call SMRLS at 651-222-4731.

* On Sept. 27, there will be an Identity Theft Clinic from 2 to 3:30 p.m. in the Government Center. This class will explain what identity theft actually is, and what to do if your identity has been hijacked. Participants will learn how to make identity protection part of their regular routine. This class is presented by Twin Cities Media Alliance and is funded by the Metropolitan Library Service Agency (MELSA). **Registration is required.** You can register by calling the Law Library at (952) 496-8713.

Check the Scott County Library website at www.scottlib.org for more exciting free technology classes that are being offered this fall!

Library News

Solar eclipse viewing glasses offered; party set for Aug. 21

Excited for the eclipse this month?

Thanks to a grant from StarNet (Science Technology Activities & Resources for Libraries), you can pick up eclipse viewing glasses at any Scott County library beginning Tuesday, Aug. 8 (while supplies last). These glasses will help people safely view the solar eclipse that will be visible in our area on Monday, Aug. 21. Kids and families can join the fun during peak viewing time at a special Solar Eclipse Viewing Party and Picnic on Monday, Aug. 21, from 11:30 a.m. to 2:30 p.m. at the Shakopee Library (235 S. Lewis St, Shakopee, 952-233-9590). The event is *free*, registration is not required, and the first 150 attendees will receive *free* eclipse viewing glasses! For more information, visit <http://bit.ly/2ueWWa5>.

Hey, babies!

The library is kicking off a brand new season of events for babies and their grownups with a Baby Fall Formal Drop-In Event on Tuesday, September

In other news...

Watching the 2017-2018 Legislative session was a bit confusing, and the special session threw another twist into the mix. Of the over 2000 bills introduced, there might be some bills that have an impact on your life. For a summary of what did actually pass you can check the Minnesota Senate Bill Summaries at https://www.senate.mn/departments/scr/billsumm/index.php?summary_type=bill.

There are a few that address issues that are frequently seen at the Law Library, but haven't gotten much press. Here are just a few:

* **SF151 Forfeiture.** Forfeiture and forfeiture paperwork is very confusing. Forfeiture is when property (usually a vehicle) is taken as a result of some criminal activity. Before SF 151, when a vehicle was seized as a result of a driver driving while intoxicated, the co-owner had no standing in asking the judge to order the return of the vehicle. The co-owner can now petition the court for the release of the vehicle if they can prove by clear and convincing evidence that they didn't know the vehicle would be used unlawfully -- or that they tried to stop the offender from using the vehicle. The new law became effective Aug. 1.

* **SF 49 Real Estate.** There were over 20 changes made to real estate statutes. E-signatures are now valid for recording real estate documents. Boundary line disputes where one property is recorded in Torrens and the other in Abstract can now go to simple Judicial Reference using the Torrens System. This became effective Aug. 1, 2017.

* **Limited Liability Companies.** Chapter 322B has been revised to 322C. This change will occur automatically without any action of the LLC, but may change your governing documents, operation and your tax status. Visit www.sos.state.mn.us/business-liens/business-help/upcoming-llc-law-change.

For information about clinics and resources regarding your legal questions, please call the Scott County Law Library at (952) 496-8713. Check out our website for law forms, statutes, case records and more at lawlib@scottlib.org.

12, 6 - 7:30 p.m. at Club Prior (16210 Eagle Creek Ave SE, Prior Lake, 952-447-3375). Dress up your baby or toddler in their finest formal wear and bring the whole family for music, dancing, a photo booth, activities, mocktails, and more! All are welcome and registration is not required.

Babies and their grownups are also invited to our brand new early literacy classes at three locations: Savage, Shakopee, and Prior Lake. Babies will make friends, share books, and enjoy fingerplays and songs for 20 to 30 minutes. All classes are *free* and registration is not required.

Savage: Tuesdays at 10:15 a.m., Sept. 19 – Nov. 21; and every other Saturday at 11 a.m. starting Oct. 14
Prior Lake: Wednesdays at 6 p.m., Sept. 29 – Oct. 25
Shakopee: Thursdays at 10:30 a.m., Sept. 28 – Nov. 9 (no class on Oct. 19)

For more information on Baby Fall Formal and baby early literacy classes, visit <http://bit.ly/2tJruQD>.